

UNITED STATES DISTRICT COURT

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS				
<p>CHARLES F. HOFFMAN, GENEVA HOFFMAN RAMSEY, RUTH NADINE HOFFMAN, Executrix of the Est. of HENRY HOFFMAN, Decd., JEAN ANN BLUE,</p> <p style="text-align: right;">Plaintiffs,</p> <p>vs.</p> <p><i>same as of 12-11-75</i> UNITED STATES OF AMERICA, SAMMY DOWLING, and HENRY HOFFMAN Trust, whose tr's are First National Bank of Miami, Ok., and PAUL S. WILSON,</p> <p style="text-align: right;">Defendants.</p>				<p>For plaintiff:</p> <p>+Ben T. Owens, John R. Wallace, .Robert S. Gee, Coy D. Morrow P. O. Box 1168 Miami, Oklahoma 74354</p> <p>For defendant:</p> <p>J. R. Hall, Jr. (for Sam Dowling) 28 A Street N.E. Miami, Oklahoma 74354 Joseph S. Thompson (for Hoffman Trust) 509 1st Natl. Bk. Bldg., Miami, Ok. 74354 Jack E. Gordon, Jr. (Sammy Dowling) 212 S. Missouri Claremore, OK 74017 266-2681 (Tulsa #) Robert P. Santee, Asst. U. S. Atty. 460 U. S. Courthouse, Tulsa, Ok. 74103</p>				
STATISTICAL RECORD		COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 1-1-75		Clerk		12-4-74	R.S. Gee	1500		
J.S. 6 mailed 2-1-76		Marshal		12-5-74	C. D. #25		15	00
Basis of Action: Suit for indemnification of Pltfs in suit filed in St. Court		Docket fee Witness fees						
Action arose at:		Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-4-74	1. Complaint filed and summons issued. b	
12-19-74	Summons, ret. & filed: served (by counsel) Sammy Dowling and Henry Hoffman Trust, 12-4-74. g	
12-10-74	2. Acknowledgment of service on J. R. Hall, Jr. on behalf of deft. Sam Dowling, and entry of appearance, filed. g	
12-10-74	3. Acknowledgement of service on Joseph S. Thompson on behalf of deft. Henry Hoffman Trust, and entry of appearance, filed. g	
12-18-74	4. Deft. Sammy Dowling's Motion to Dismiss, filed. k	
12-18-74	5. Brief in support of Mot to dismiss, filed by deft. Sammy Dowling. k	
12-18-74	MO: It is ordered by the Court that plaintiff is granted ten (10) days to respond to deft. Sammy Dowling's Mot. to Dismiss. (AEB-J) k cps mld	
12-30-74	6. Brief in Opposition to Defendant, Sammy Dowling's Motion to Dismiss, filed. lm	
1-29-75	7. <u>ANSWER</u> of Deft. Henry Hoffman Trust and <u>CROSS-COMPLAINT</u> against the Defts. Sammy Dowling & the U.S.A., filed. v	
2-3-75	8. MOTION for enlargement of time within which to answer or otherwise plead, filed. (o to J)	
2-4-75	9. Order, filed, that Deft., USA, have until 3-3-75, to answer. (AEB-J) v -cps mld. of Henry Hoffman Trust	
2-20-75	10. Motion of deft. Sammy Dowling to dismiss cross complaint, filed. g	
2-20-75	11. Brief in support of mot. to dismiss cross complaint, filed. g	
2-20-75	MO It is ordered by the Court that deft. Henry Hoffman Trust is granted ten (10) days to respond to deft. Dowling's mot. to dismiss cross complaint. (AEB-J) g	
3-3-75	12. Brief of deft. Henry Hoffman Trust in opposition to Dowling's mot. to dismiss, filed. g	
3-3-75	13. Mot. of USA for enlargement of time to ans., filed. v (o)	
3-4-75	14. Order, filed, granting USA until 4-3-75 to answer. (AEB-J) g	
3-19-75	MO: Case referred to Mag. Bradford for hrg/rec repending mots. (AEB-J) k	
3-28-75	15. Motion to Dismiss action as to U.S.A, filed. b	
3-28-75	16. Brief in support of Motion to Dismiss, filed. b	
3-28-75	MO: It is ordered by the Court that the Pltfs' file a responsive brief within 10 days to the Govt's motion to dismiss. (AEB-J) b lts mld	
4-4-75	17. Brief in Opposition to Deft., USA's, Mtn. to Dismiss, filed. jj	
5-5-75	MO: Ordered by the Court that case is set for non-jury trial on 6-9-75, at 10:00 A.M., in Miami, Ok. (AEB-J) b nts mld	
4-30-75	Case called for hearing on motions. Defts' motions sustained. Deft. USA, to prepare formal order & Findings & Recomm. in 5 days. (MLB-Mag) b	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-6-75	Findings & Recommendation of Magistrate, filed. (MLB-Mag) b cps mld	
5-12-75	Plaintiffs' objections to findings & recommendation of Magistrate, filed. g	
5-12-75	Brief in support of pltfs' obj. to F/R of Magistrate, filed. g	
5-12-75	MO: It is ordered by the Court that defts. are granted 10 days to respond to pltfs' obj. to F&R of Magistrate. (AEB-J)k cps mld	
5-15-75	RESPONSE to pltf's ojs. to findings and recommendations of Magistrate, filed, w/Brief. lm	
5-20-75	REQUEST FOR ADMISSIONS, FILED. MM	
5-20-75	Response to pltfs' objections to F/R of Magistrate, filed. g	
5-30-75	Affidavit of counsel for Hoffman Trust re exhibits, filed. g	
5-30-75	MO: IT IS ORDERED that this case set for non-jury trial on 6-9-75, at Miami, Okla, is hereby stricken from this non-jury docket to be reset on the next non-jury docket. (AEB-J)b lts mld	
6-4-75	Motion to Strike Request for Admissions with Brief in Support, filed. mm	
	MO: IT IT ORDERED BY THE COURT THAT THE PLFTS FILE A RESPONSIVE BRIEF WITHIN 10 DAYS TO THE DEFENDANTS MOTION TO STRIKE REQUEST FOR ADMISSIONS. mm cps mld (AEB-J)	
6-12-75	Plaintiffs' response to USA's motion to strike, filed. g	
12-11	Order, filed and entered, that the mot. to dismiss fld. by U.S.A. in re compl. & cross compl. is sustained & said are hereby dismissed as to the U.S.A. Further ordered that the mot. to dismiss fld. by Sammy Dowling in re the compl. & cross-compl. is sustained & said are dismissed. Case remains open as to compl. of pltfs. as to deft. Henry Hoffman Trust, whose Trustees are 1st Ntl. Bnk of Miami, OK, & Paul S. Wilson. Parties are directed to hold pretrial order w/in 15 days from this date & file agreed pto for sign. of Court w/in 5 days thereafter. (AEB-J)v -cps. mld.	
1-12-76	Stipulation that no justiciable issue exists, filed. g	
1-12-76	Order nunc pro tunc, filed, changing word "Osage County" on page 1 of order filed 12-11-75, to "Ottawa County" by interlineation. (AEB-J)g	
1-12-76	Order dismissing complaint and cause of action for failure to prosecute, filed & entered. (AEB-J)g cpies mld.	
1-13-76	Order approving stipulation that no justiciable issue exists, filed. (AEB-J)g cp. mld.	

DATE	PROCEEDINGS	Date Order or Judgment Note